

Dec 19, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTINE MARY S.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:19-CV-03154-RHW

**ORDER GRANTING PARTIES'
STIPULATED MOTION FOR
REMAND**

Before the Court is the parties' Stipulated Motion for Remand. **ECF No. 12.** The Commissioner of Social Security denied Plaintiff's application for Disability Insurance Benefits under Title II of the Social Security Act, 42 U.S.C. § 401-434. *See* AR 1-6, 20-37. Plaintiff brought this action seeking judicial review of the Commissioner's final decision. ECF No. 1. The parties now jointly move the Court to reverse and remand for further administrative proceedings, including a new hearing. ECF No. 12. Based on the agreement of the parties and the record, the Court finds good cause to **GRANT** their motion.

ORDER GRANTING PARTIES' STIPULATED MOTION FOR REMAND

1 The Commissioner's decision to deny Plaintiff's application for Social
2 Security benefits is **REVERSED** and **REMANDED** for further proceedings
3 pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Administrative
4 Law Judge (ALJ) will:

- 5 • re-evaluate the evidence as it pertains to step three, particularly Listing
6 1.02A, and obtain medical expert evidence on this topic if necessary;
- 7 • re-evaluate Plaintiff's alleged symptoms, the medical and other opinions,
8 and Plaintiff's residual functional capacity, as necessary;
- 9 • obtain supplemental vocational expert evidence to reevaluate whether
10 Plaintiff could perform other jobs existing in significant numbers in the
11 national economy, as necessary; and
- 12 • conduct a de novo hearing and issue a new decision.

13 *See* ECF No. 12 at 1-2. Moreover, the parties agree that reasonable attorney fees,
14 costs, and expenses should be awarded to Plaintiff under the Equal Access to
15 Justice Act upon proper request to the Court. *Id.*; *see* 28 U.S.C. § 2412(a), (d); 28
16 U.S.C. § 1920.

17 Accordingly, **IT IS HEREBY ORDERED:**

- 18 1. The parties' Stipulated Motion for Remand, **ECF No. 12**, is **GRANTED**.
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ORDER GRANTING PARTIES' STIPULATED MOTION FOR REMAND

